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UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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In re Application of	:	DECISION ON
POLICKY et al.	:	
Application No.: 09/980,049	:	PETITION UNDER
PCT No.: PCT/US01/10436	:	
Int. Filing Date: 29 March 2001	:	37 CFR 1.182
Priority Date: 29 March 2000	:	
For: G-PROTEIN COUPLED RECEPTORS	:	

This is a decision on applicants' communication "Missing Requirements Under 35 U.S.C. 371" treated as a petition under 37 CFR 1.182 and response to Notification of Missing Requirements, filed with the United States Patent and Trademark Office (USPTO) on 08 July 2002. Applicants request that the application reflect joint inventor Chandra Patterson family name change from Chandra Patterson to Chandra Arvizu. The \$130 petition fee was authorized to be paid from applicants' deposit account.

On 28 November 2001, within 30 months from priority date of the international application, applicants filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, the requisite basic national fee. The international application indicated that the inventors/applicants for the United States of America included Chandra Patterson as a named joint inventor.

On 01 February 2002, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicants indicating that applicants must furnish an oath or declaration in compliance with 37 CFR 1.497(a) and (b), and executed in accord with either 37 CFR 1.66 or 1.68, and that the \$130 surcharge for filing the oath or declaration after the thirty month period was required.

On 08 July 2002, applicants filed the instant communication in response to Notification of Missing Requirements. The paper indicated that Chandra Patterson married and changed her family name to Chandra Arvizu subsequent to the filing of the international application. However, applicants did not submit an affidavit signed by Chandra Patterson indicating the reason for the name change.

DISCUSSION

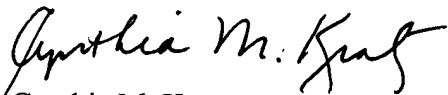
As explained in MPEP 605.04(c), applicants must provide a signed affidavit setting forth both names and the procedure whereby the change of name was effected, or a certified copy of the court order. Here, applicant only submitted the statement of the attorney regarding the change of name of Chandra Patterson. Applicant did not submit a signed affidavit setting forth the procedure whereby the change of name was effected and identifying both names, Chandra Patterson and Chandra Arvizu. In lieu of this affidavit, applicant may file a certified copy of the court order. Thus, the evidence is insufficient to conclude that Chandra Patterson changed her name by marriage to Chandra Arvizu.

CONCLUSION

The petition under 37 CFR 1.182 to change the inventor's name from Chandra Patterson to Chandra Arvizu is **DISMISSED WITHOUT PREJUDICE**.

Any reconsideration on the merits of this petition must be filed within TWO (2) MONTHS from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.182."

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, with the contents of the letter marked to the attention of the PCT Legal Office.



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